

Amendment
Serial No. 10/825,819

REMARKS

Reconsideration of all grounds of rejection and allowance of all the pending claims are respectfully requested in light of the above amendments and following remarks. Claims 1, 2, 6, 10, 11 and 15, as amended are independent claims.

At the outset, Applicant notes with appreciation the indication in the Office Action that claims 2-9 and 11-18 recite allowable subject matter. Applicant has amended claims 2, 6, 11 and 15 into independent form, thereby placing all of claims 2-9 and 11-18 in condition for allowance.

Claims 1 and 10 stand rejected under 35 U.S.C. §103(a) over Prior Art Fig. 1 in view of Combs *et al.* (U.S. 6,751,417) ("Combs"). Applicant respectfully traverses this ground of rejection for the reasons indicated herein below.

Claims 1 and 10 have been amended to recite in part wherein only the second predetermined number of broadcast signals selected through switching using the channel selection information is transmitted to the SIU from the ONU; support is clearly found in the specification at least at page 10, lines 15-17.

Applicant respectfully submits that the combination of prior art Fig. 1 and Combs would have failed to render any of the present claims obvious to a person of ordinary skill in the art at the time of invention.

For example, with regard to the combination of FIG. 1 and Combs, Applicant respectfully submits that the Office Action incorrectly alleges on page 3, lines 6-9, that prior art FIG. 1 shows an SIU for receiving the first predetermined number of broadcast signals and transmits the predetermined number of broadcast signals and the Ethernet signal to be transmitted to a subscriber to a corresponding subscriber terminal. As recited now in claims 1 and 10, only a

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broadcasting signal of a channel selected through switching using the channel selection information is transmitted to the SIU (specification at page 10, lines 14-18). Thus, as recited in present claims 1 and 10, while the broadcast channels are all received by the ONU, only a broadcasting signal of a second number of predetermined number of selected channel(s) is transmitted to the SIU through switching using the channel selection information.

In contrast to claims 1 and 10, the combination of Prior Art FIG. 1 and Combs fails to disclose even an SIU, and the ONT RX 113 provides all the broadcast signals to the respective ONTs and their respective Set Top Box STB 300. As disclosed at page 1, 18-20, optical network terminals (referred to as ONTs) have been installed at homes. Also, as the STB of each subscriber requires a subscriber identification and a real time accounting by a conditional access system (CAS) supporting encryption and decryption, and a large bandwidth (page 4, lines 16-20).

Thus the invention as recited in claims 1 and 10 provides an advantage in that there is no requirement for CAS supporting encryption and decryption, and no large bandwidth requirement as the SIU only receives the selected predetermined number of signals.

For at least the above reasons, claims 1 and 10 would not have been obvious to a person of ordinary skill in the art in view of the combination of FIG. 1 and Combs. Nor would the combination of elements, as recited in claims 1 and 10, have been obvious to an artisan as being within the ordinary level of skill in the art (*KSR International v. Teleflex*, 127 S.Ct. 1727, 82 USPQ2d 1385 (2007)).

Reconsideration and withdrawal of all grounds of rejection of claims 1 and 10 are respectfully requested.

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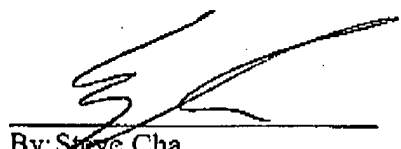
Applicant respectfully submits that at least for all the aforementioned reasons, all of the present claims are now in condition for allowance. A Notice of Allowance is respectfully requested as soon as possible.

While no fees are believed to be due at this time, please credit any overage of charge any deficiency to Deposit Account 502-470.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,
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